

REMARKS

Claims 1-13 are currently pending in the patent application. The Examiner has rejected Claims 1-13 under 35 USC 112 as indefinite; and, has rejected Claims 1-13 under 35 USC 103 as unpatentable over Fiszman in view of Bruno and further in view of Freund. For the reasons set forth below, and based on the amendments presented herein, Applicants assert that the claims are allowable over the cited art.

With regard to the 112 rejections, Applicants have amended the language of the independent claims to recite "wherein said request attributes comprise at least a name of the supporter program, a requested functionality, a unique string identifying a configuration containing the request, supporter-specific request parameters, a current status of the request, and a version of the supporter program required to execute the request" to thereby eliminate any antecedent basis concerns.

With regard to the rejections under 35 USC 103, Applicants respectfully assert that the claims are patentable over the combined teachings, since none of the cited references teaches or suggests that requests are stored with the expressly claimed request attributes, and that the request attributes are used for organizing the DE919990092

requests (e.g., sub-grouping requests associated with a respective supporter program) into a chain of requests based on the request attributes. Applicants contend that the Examiner has not established a *prima facie* case of obviousness against the claim language.

The present application teaches and claims a method and system for performing a method for supporting automated management of resources owned by a supporter program in a system having at least one repository and a resource managing program means, comprising the steps of placing all requests in a repository comprising requests and request attributes, wherein each request defines an action to be performed, or a desired state to be achieved, the state being associated with a respective one of said resources; accessing requests by a request scheduler and reorganizing said requests into a chain of requests based on said request attributes; and invoking resource managing program means for handling the chain of said requests (independent Claims 1 and 6-9, and all claims which depend therefrom).

The inclusion and use of request attributes related to supporter programs for organizing and handling requests is clearly not taught or suggested by the prior art. As expressly taught in the present Specification, the prior art used conventional scripts to describe what and how to do

things to set the specific resource state. In contrast, the present inventive approach provides inventive request descriptions to define which resource state is needed, but not the way to get it done (see: the bottom of page 8 and top of page 9). The request attributes, which are request descriptions used for organizing, sub-grouping, and executing the requests, include at least a name of the supporter program, a requested functionality, a unique string identifying a configuration containing the request, supporter-specific request parameters, a current status of the request, and a version of the supporter program required to execute the request (see: page 23, line 19-page 24, line 12).

The Fiszman patent is directed to a system and method for generic process automation. With reference to Fig. 3, Fiszman provides an engine component 10 associated with a plurality of processing nodes 18. Requests from users 86 at workstations 88 are received at the engine component 10, are scheduled by scheduler 74, and the request and the necessary software, retrieved from repository 82, are sent for processing to nodes 18 based on resource allocation performed by allocator 78 (see: Col. 9, lines 9-39 and Col. 11, lines 37-51). Fiszman handles each request individually, with no ordering or sub-grouping of requests

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relative to each other. The cited passage from Col. 9, lines 9-26 of Fiszman details scheduling based on system constraints but does not teach or suggest organizing or scheduling based on request attributes.

With specific reference to the claim language, Applicants respectfully assert that the Fiszman patent does not teach placing all requests in a repository. Rather, Fiszman stores programs/executable software in repository 82. Fiszman does not store requests. Further, Fiszman provides no teachings of organizing requests into a chain of request based on request attributes. Rather, Fiszman handles each request individually. Finally, Fiszman does not invoke one resource managing program for handling a chain of requests. Rather, Fiszman allocates a resource to handle each scheduled request.

The Examiner has cited the Bruno patent, concluding that the placing of requests in a queue, as taught by Bruno, could be used to modify the Fiszman system. The Bruno patent teaches that requests are placed in a queue and, as the Examiner states on page 4 of the Office Action, the Bruno system estimates the time that will be needed to service the request at the head of the queue before releasing it/scheduling it. Accordingly, it is clear that the Bruno patent does not order the requests in the queue

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based on request attributes into a chain and does not then invoke a resource managing program means for handling the chain of requests. What Bruno does is evaluate the time needed to execute the request that is at the head of the queue and then schedule it when sufficient resources are available.

Applicants respectfully assert that, even if one were motivated to modify Fiszman with a request queue before a scheduler processes the requests, one would not arrive at the invention as claimed. Since neither Fiszman nor Bruno teaches that the requests are stored in a repository with the expressly claimed request attributes, and since neither reference teaches that the request attributes are used for organizing the requests (e.g., sub-grouping requests associated with a respective supporter program as taught in the aforementioned passage from page 24) into a chain of requests based on the request attributes, it cannot be concluded that the combination of references obviates the invention as claimed.

The Examiner has, on page 4 of the Office Action, concluded that it would be "advantageous for Fiszman to be able to store incoming request (sic) into a repository before the scheduler accesses them in order to provide a fair queuing scheduling algorithm that considers the

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estimated time required to service the request at the head of a queue". However, neither Fiszman nor Bruno teaches a step or means for storing requests in a repository prior to scheduling the requests. Fiszman handles each request as received (essentially, a "first in, first out" (a.k.a., FIFO) treatment), while Bruno teaches queuing requests and evaluating the time needed to service the request at the head of the queue (again, essentially a FIFO treatment). Neither stores requests and request attributes and then organizes the requests based on the request attributes. Placing requests in a FIFO queue does not obviate the claimed storing of requests with request attributes in a repository and then reorganizing them based on request attributes. Under the present invention, a resource managing program means is invoked to handle the chain of requests after the requests have been reorganized into a chain. The resource managing program means will then handle the actual sending of the requests to the resources, which may additionally involve the requests being placed in a sending queue associated with the resource managing program means. Applicants reiterate that placing the requests in a FIFO queue is not the same as the claimed placing of all requests in a repository with request attributes.

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The Examiner has newly cited the Freund patent for teaching request attributes. What Freund teaches is a system and method for monitoring Internet usage in order to track and control user access to the Internet. In the cited passage found in Col. 4, lines 40-50, Freund teaches that the system intercepts processes as they are loading and unloading and checks "various characteristics" in order to "determine if the process in question should have access to the Internet and what kind of access...is permissible for the given specific user." Accordingly, the Freund patent does not teach a request with request attributes, but rather teaches a currently active process with process characteristics. Freund does not store processes with process characteristics, but merely intercepts them for review. Moreover, Freund does not teach or suggest organizing processes based on the process characteristics. Rather, Freund compares the characteristics of a process as it is loading or unloading and compares those characteristics to stored information regarding permissible process access and user access.

Applicants respectfully assert that the addition of the teachings of the Freund patent to the combination of Fiszman and Bruno does not obviate the invention as claimed. Even if one were to modify the Fiszman/Bruno system with the DE919990092

teachings of Freund, one would not arrive at the invention as claimed. Rather, one would arrive at a system wherein requests would be placed in a FIFO queue as the requests arrive (Bruno), the process instance for the scheduled request would be invoked (see 80 of Fiszman Fig. 3 or step 4 of Fiszman Fig. 4), and, once process instances are being sent to resources for execution (step 5 of Fiszman Fig. 4), then the Freund feature would intercept the processes and compare their characteristics to permissible process access and user access information. Clearly the resulting combination would not obviate a method and system wherein all requests are placed in a repository with request attributes, request are reorganized into a chain of requests based on request attributes, and a resource managing program is then invoked to handle the chain of requests. Applicants respectfully assert that the Examiner has not established a *prima facie* case of obviousness against the claim language since the prior art does not teach or suggest all of the claim limitations (*In re Wilson*, 424 F. 2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)).

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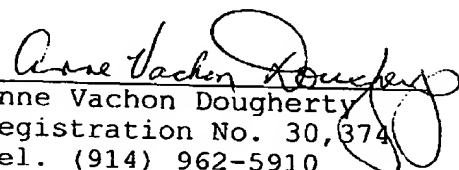


Based on the foregoing amendments and remarks, Applicants respectfully request entry of the amendments, reconsideration of the amended claim language in light of the remarks, withdrawal of the rejections, and allowance of the claims.

Respectfully submitted,

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